

PATENT
Attorney Docket No.: IMARX1110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Evan C. Unger Art Unit: 1617
Application No.: 09/413,110 Examiner: S.J. Sharareh
Filed: October 6, 1999 Confirmation No. 1596
Title: METHODS FOR DELIVERING BIOACTIVE AGENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, IMARX THERAPEUTICS, INC., with its place of business at 11635 East 18th Street, Tucson, AZ 85719, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/413,110 filed October 6, 1999, entitled METHOD FOR DELIVERING BIOACTIVE AGENTS as evidenced by an Assignment recorded on March 30, 2001, in the United States Patent and Trademark Office on Reel 011436, Frame 0117. The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

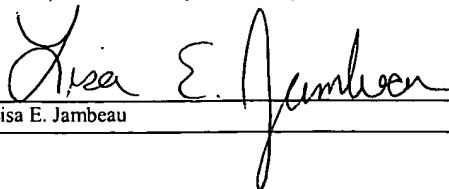
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CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, **August 6, 2004**, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Lisa E. Jambeau

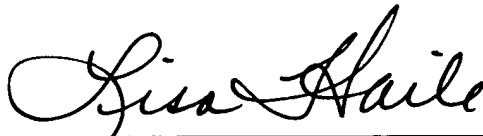
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Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, IMARX THERAPEUTICS, INC., disclaims the terminal part of any patent granted on the subject matter of the above-identified Application Serial No. 09/413,110, filed October 6, 1999, that would extend beyond the expiration date of U.S. application Serial No. 09/218,660. Petitioner hereby agrees that any patent so granted on the above-identified application Serial No. 09/413,110, shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to U.S. application Serial No. 09/218,600, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Enclosed is Check No. 564459 in the total amount of \$55.00 to cover the Terminal Disclaimer fee. The Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Date: August 6, 2004

Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-213

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